

SENATE JOURNAL

Fiftieth Legislature—Regular Session

AUSTIN, TEXAS, TUESDAY, JANUARY 14, 1947

PROCEEDINGS

FIRST DAY

In accordance with the Constitution and Laws of the State of Texas, the Senate of the Fiftieth Legislature met in the Senate Chamber of the State Capitol on Tuesday, the fourteenth day of January, 1947, at 12 o'clock noon.

The Honorable John Lee Smith, Lieutenant Governor and President of the Senate, called the Senate to order.

On invitation of the President, the Reverend J. E. Chester delivered the invocation.

Temporary Officers

The President announced the appointment of the following temporary officers of the Senate:

Secretary, Noel K. Brown.
Journal Clerk, Mrs. J. W. E. H. Beck.
Sergeant-at-Arms, Boyd Rhea.
Chaplain, Reverend J. E. Chester.
Doorkeeper, R. A. Childers.
Calendar Clerk, Mrs. Martha Turner.

Roll Call of Senators

The President directed the Secretary of the Senate to call the roll of Senators who were members of the Forty-ninth Legislature and who continue in office as members of the Fiftieth Legislature.

The roll was called and the following Senators answered to their names:

Hon. A. M. Aikin, Jr., representing the Eighth Senatorial District, composed of Delta, Franklin, Hopkins, Lamar, and Red River counties.

Hon. Buster Brown, representing the Twenty-first Senatorial District, composed of Bell, Bosque, Coryell, Erath and Hamilton counties.

Hon. Pat Bullock, representing the Twenty-fourth Senatorial District, composed of Callahan, Eastland, Fisher, Haskell, Jones, Mitchell, Nolan, Scurry, Shackelford, Stephens, Taylor, and Throckmorton counties.

Hon. Howard Carney, representing the First Senatorial District, composed of Bowie, Cass, Marion, Morris, and Titus counties.

Hon. T. C. Chadick, representing the Seventh Senatorial District, composed of Camp, Smith, Upshur, Van Zandt, and Wood counties.

Hon. A. B. Crawford, representing the Twelfth Senatorial District, composed of Ellis, Hill, Hood, Johnson, and Somervell counties.

Hon. Grady Hazlewood, representing the Thirty-first Senatorial District, composed of Armstrong, Briscoe, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler counties.

Hon. Roger A. Knight, representing the Fifth Senatorial District, composed of Grimes, Houston, Leon, Madison, Montgomery, Polk, San Jacinto, Trinity, and Walker counties.

Hon. Sterling J. Parrish, representing the Thirtieth Senatorial District, composed of Andrews, Bailey, Borden, Cochran, Cottle, Crosby, Dickens, Dawson, Floyd, Gaines, Garza, Hale, Hockley, Howard, Kent, King, Lamb, Lubbock, Lynn, Martin, Motley, Stonewall, Terry, and Yoakum counties.

Hon. Ben Ramsey, representing the Third Senatorial District, composed of Angelina, Cherokee, Jasper, Nacogdoches, Newton, Sabine, San Augustine, and Tyler counties.

Hon. James A. Stanford, representing the Twentieth Senatorial District, composed of Burnet, Lampasas, Llano, San Saba, Travis, and Williamson counties.

Hon. Walter Tynan (elected to fill the unexpired term of Hon. Franklin J. Spears, deceased), representing the Twenty-sixth Senatorial District, composed of Bandera, Bexar, Kendall, and Kerr counties.

Hon. Kyle Vick, representing the Thirteenth Senatorial District, composed of McLennan, Falls, Limestone, and Milam counties.

Hon. H. L. Winfield, representing the Twenty-ninth Senatorial District, composed of Brewster, Crane, Crockett, Culberson, Ector, Edwards, El Paso, Glasscock, Hudspeth, Jeff Davis, Kinney, Loving, Maverick, Medina, Midland, Pecos, Presidio, Reagan, Real, Reeves, Sutton, Terrell, Upton, Uvalde, Val Verde, Ward, and Winkler counties.

Hon. J. Alton York, representing the Fourteenth Senatorial District, composed of Bastrop, Brazos, Burleson, Lee, Robertson, and Washington counties.

Hon. Fred Mauritz, representing the Eighteenth Senatorial District, composed of Aransas, Atascosa, Bee, Calhoun, De Witt, Goliad, Karnes, Jackson, Live Oak, Refugio, San Patricio, Victoria, and Wilson counties was absent excused.

Roll Call of Senators-elect

The President directed the Secretary to call the roll of the Senators-elect whose credentials of election had been received from the Secretary of State.

The roll was called and the following Senators-elect answered to their names:

Hon. Wardlow W. Lane, to represent the Second Senatorial District, composed of Gregg, Harrison, Panola, Rusk and Shelby counties.

Hon. W. R. Cousins, Jr., to represent the Fourth Senatorial District, composed of Hardin, Jefferson, Liberty, and Orange counties.

Hon. James E. Taylor, to represent the Sixth Senatorial District, com-

posed of Anderson, Freestone, Henderson, Kaufman, and Navarro counties.

Hon. Charles R. Jones, to represent the Ninth Senatorial District, composed of Cooke, Fannin, and Grayson counties.

Hon. G. C. Morris, to represent the Tenth Senatorial District, composed of Collin, Hunt, Rains, and Rockwall counties.

Hon. Fred Red Harris, to represent the Eleventh Senatorial District, composed of Dallas county.

Hon. Gus. J. Strauss, to represent the Fifteenth Senatorial District, composed of Austin, Colorado, Fayette, Lavaca, and Waller counties.

Hon. W. Lacy Stewart, to represent the Sixteenth Senatorial District, composed of Harris county.

Hon. Jimmy Phillips, to represent the Seventeenth Senatorial District, composed of Brazoria, Chambers, Fort Bend, Galveston, Matagorda, and Wharton counties.

Hon. R. A. Weinert, to represent the Nineteenth Senatorial District, composed of Blanco, Caldwell, Comal, Gonzales, Guadalupe, and Hays counties.

Hon. R. L. (Bob) Proffer, to represent the Twenty-second Senatorial District, composed of Denton, Jack, Montague, Palo Pinto, Parker, and Wise counties.

Hon. George Moffett, to represent the Twenty-third Senatorial District, composed of Archer, Baylor, Clay, Foard, Hardeman, Knox, Wichita, Wilbarger, and Young counties.

Hon. Dorsey B. Hardeman, to represent the Twenty-fifth Senatorial District, composed of Brown, Coke, Coleman, Comanche, Concho, Gillespie, Irion, Kimble, Mason, McCulloch, Menard, Mills, Runnels, Schleicher, Sterling, and Tom Green counties.

Hon. Rogers Kelley, to represent the Twenty-seventh Senatorial District, composed of Brooks, Cameron, Dimmit, Duval, Frio, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, La Salle, McMullen, Nueces, Starr, Webb, Willacy, Zapata, and Zavala counties.

Hon. Keith Kelly, to represent the Twenty-eighth Senatorial District, composed of Tarrant county.

Leave of Absence Granted

Senator Mauritz was granted leave of absence for today on account of illness on motion of Senator Aikin.

Oath Administered to Senators-elect

The President requested all Senators-elect present to assemble at the bar of the Senate and take the constitutional oath of office.

The official oath then was administered by the President to the Senators-elect present.

Quorum Present

The President announced a quorum of the Senate present.

Reverend J. E. Chester, temporary Chaplain, offered the invocation.

Election of President Pro Tempore

Senator Aikin nominated the Honorable Ben Ramsey of San Augustine county to be President pro tempore of the Senate for the Regular Session of the Fiftieth Legislature.

Senators Vick, York, Lane and Winfield seconded the nomination of Honorable Ben Ramsey.

Senators Strauss, Hazlewood and Hardeman were appointed to take up and count the ballots.

The ballots were taken up and counted, and the result was announced as follows:

The Honorable Ben Ramsey received 29 votes.

The President declared that the Honorable Ben Ramsey had been duly elected President pro tempore of the Senate for the Regular Session of the Fiftieth Legislature; and Senators Aikin, York and Winfield were appointed to escort him to the President's desk, where he took the constitutional oath of office.

The President then presented to the Senate President pro tempore Ramsey, who addressed the Senate briefly and thanked the Members of the Senate for the honor conferred upon him.

Senate Resolution 1

(Extending Privileges of Floor to Lieutenant Governor-elect.)

Senator Cousins offered the following resolution:

Be It Resolved by the Senate of the State of Texas:

That the Honorable Allan Shivers, Lieutenant Governor-elect of the State of Texas, be granted the privileges of the floor of the Senate on all occasions previous to his inauguration.

The resolution was read and was adopted unanimously.

Election of Dean of Senate

Senator Aikin moved that the Honorable R. A. Weinert of Guadalupe County be elected Dean of the Senate.

Senator York seconded the nomination.

Senators Strauss, Hazlewood and Hardeman were appointed to take up and count the ballots.

The Honorable R. A. Weinert received 29 votes and was duly declared Dean of the Senate.

Senate Resolution 2

(Caucus Report)

Senator Weinert submitted the following report previously agreed to by the members of the Senate in caucus.

Senate Chamber,
Austin, Texas,
January 14, 1947.

Honorable John Lee Smith,
Lieutenant Governor,
Senate of Texas,
Austin, Texas.

Sir: At a caucus held in the office of the Senate attended by 30 members of the Senate, the following recommendations were made, to-wit:

The following officers were elected to serve for the 50th Legislature, and at the salaries set opposite their names:

Secretary of the Senate, Claude Isbell, \$10.00 per day.

Assistant Secretary of the Senate, which shall be appointed by the Secretary of the Senate, \$7.50.

Journal Clerk, Mrs. J. W. E. H. Beck, \$9.00.

Sergeant-at-Arms, Boyd Rhea, for the duration of the Regular Session, \$9.00.

Assistant Sergeant-at-Arms, A. DeGlandon, \$7.50.

Doorkeeper, R. A. Childers, \$7.50.

Assistant Doorkeeper, Frank Marlin, \$6.00.

Chaplain, Rev. J. E. Chester, \$6.00.

Assistant Journal Clerk, to be appointed by the Journal Clerk, \$7.00.

Calendar Clerk, Mrs. Martha Turner, \$8.50.

Assistant Calendar Clerk, Mrs. Alice Conley, \$7.50.

Engrossing and Enrolling Clerk, Miss Essie McGinnis, \$10.00.

Postmistress, Mrs. Lola Lawrence, \$7.50.

Mailing Clerk, Mrs. Anne Polglass, \$7.50.

Parliamentarian, named by the Lieutenant Governor, Noel K. Brown, \$10.00.

It is recommended that each Senator, Lieutenant Governor and the Secretary of the Senate, be permitted to name one secretary, who shall act as clerk of the committee of which the Senator naming such employee is chairman, such employees to receive \$7.00 per day, except the private secretary of the Lieutenant Governor, who shall receive \$8.00 per day, and except the secretary to the Secretary of the Senate who shall receive \$7.00 per day, except the salaries of the employees of the Enrolling and Engrossing Room may be supplemented at the discretion of the Contingent Expense Committee. All officers and employees elected by this caucus shall hold their office or employment for the duration of the Regular Session of the 50th Legislature.

It is further recommended that each Senator, the Lieutenant Governor and the Secretary of the Senate be permitted to name two employees of the Senate in addition to their private secretary, that the names of such employees be referred to an assignment committee hereinafter named, that said committee be authorized to select from said list all employees in the Engrossing and Enrolling Room and other departments of the Senate, said employees so named by the Senators, the Lieutenant Governor and the Secretary of the Senate to receive \$6.00 per day.

It is further recommended that the Lieutenant Governor be authorized to name a committee of five, such committee shall be designated as an

assignment committee for the purpose of assigning employees as herein authorized and the committee be authorized to select sufficient additional employees at \$6.00 per day to be assigned by it when and where needed.

It is further recommended that the extra employees and the porters who were selected to prepare the Senate Chamber in advance of the meeting be allowed pay for their services, the per diem allowed each of the employees mentioned in this section to be the same as herein fixed.

It is further recommended that the several appointments of employees heretofore made by the Lieutenant Governor and announced in the Senate and considered by the caucus are confirmed.

The salaries of the day and night elevator operators shall be \$5.00 per day each, and the salaries of the porters shall be \$4.00 per day each, except the head porter whose salary shall be \$5.00 per day and the porter carrying the mail shall receive \$4.00 per day, and the salaries of the pages shall be \$3.00 per day, and the salaries of the messengers shall be \$3.00 per day.

The Lieutenant Governor is requested to recommend that the Southwestern Telephone Company employ Miss Mary Jacobs to attend the duties of the telephone operator of the Senate, and a night operator be named by the assignment committee, out of the employees whose names are filed with said committee.

The Lieutenant Governor, Senators and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that no employee of the Senate shall, during the time he or she is employed, furnish to any person, firm or corporation any information other than general information furnished the public pertaining to the Senate, and they shall not receive any compensation from any person, firm or corporation during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, members of the Senate,

Secretary of the Senate, committee, or to the head of a department, shall report for duty at eight o'clock a. m., and one o'clock p. m., each day to the Sergeant-at-Arms of the Senate, except part time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the Lieutenant Governor, each Senator and the Secretary of the Senate, be allowed the stationery and postage needed by them, respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that 1,100 journals be printed, all of which shall be prorated among the Senators, on the basis of the population of their respective districts, according to the last United States census, and Lieutenant Governor, except that 175 journals shall be furnished the Members of the House.

It is further recommended that the Senate request the State Comptroller of Public Accounts to issue general revenue warrants for the pay of the Members and employees of the Senate upon presentation of the payroll account signed by the Presiding Officer and the Secretary of the Senate.

It is further recommended that each Senator, the Lieutenant Governor, the Secretary of the Senate, and Librarian be permitted to subscribe for three newspapers to be paid for out of the contingent fund.

It is further recommended that the President of the Senate have exclusive appointment of a sufficient number of custodians, messengers, pages, elevator operators, and porters as in his judgment may be necessary.

It is further recommended that the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee.

It is further recommended that the

private rooms allotted to the Senators by the method as adopted by the caucus be assigned to Senators and their successors unless otherwise directed by the Senate.

It is further recommended that each Senator, as quickly as possible, file with the Secretary of the Senate the name of his private secretary selected; that he also file with the Chairman of the Assignment Committee aforesaid the names of the employees selected, together with his or her post-office address and a suggestion as to the special qualifications of said employees.

Be It Further Resolved, that no employee of the Senate except those whose official duties require them to work upon the floor of the Senate shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, which when performed, he will immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have the privileges of the floor during the sessions of the Senate shall be permitted on the Senate floor for a period of thirty minutes prior to the time the Senate convenes. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such thirty minute period.

Respectfully submitted,

R. A. WEINERT,
Chairman of the Caucus.

Pending the reading of the report, Senator Weinert moved that further reading be dispensed with and that it be adopted as a resolution of the Senate.

The motion prevailed and the report was adopted.

Senate Resolution 3

(Extending Sincere Wishes to Senator Fred Mauritz.)

Senator Moffett offered the following resolution:

Whereas, the Members of the Senate have learned with deep regret of the continued illness of their warm and highly esteemed friend and colleague, Senator Fred Mauritz of Jackson County; therefore, be it

Resolved, That we extend to him our sincerest wishes for a speedy recovery from his illness and an early return to Texas, where he can again take an active part in the deliberations and activities of the Senate; and be it further

Resolved, That the Secretary of the Senate be instructed to send to him, in Brooklyn, New York, flowers, and a copy of the resolution.

MOFFETT
BULLOCK
CHADICK

Signed—John Lee Smith, Lieutenant Governor, Allan Shivers, Lieutenant Governor-elect; Senators Aikin, Brown, Bullock, Carney, Chadick, Cousins, Crawford, Hardeman, Harris, Hazlewood, Jones, Kelley, Kelly, Knight, Lane, Moffett, Morris, Parrish, Phillips, Proffer, Ramsey, Stanford, Stewart, Strauss, Taylor, Tynan, Vick, Weinert, Winfield and York.

The resolution was read.

On motion of Senator Winfield, the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

On motion of Senator Aikin, the name of the Lieutenant Governor-elect was added to the resolution as signer thereof.

The resolution was adopted unanimously.

Temporary Committees

The President announced the appointment of the following temporary committees of the Senate:

Civil Jurisprudence

Senator Carney, Chairman; Senators Weinert, Kelley of Hidalgo, Chadick and Parrish.

Finance

Senator Taylor, Chairman; Senators Hazlewood, Stanford, York, Winfield and Aikin.

Senate Resolution 4

(Adopting Temporary Rules)

Senator Aikin offered the following resolution:

Be It Resolved, By the Senate of Texas, that the permanent Senate Rules of the 49th Legislature be

adopted as the temporary Senate Rules for the 50th Legislature.

The resolution was read and was adopted by the following vote:

Yeas—30

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

Absent—Excused

Mauritz

Committees to Notify Governor and House

Senator Aikin moved that a committee of five Senators be appointed to notify the Governor that the Senate has completed its organization and is ready for the transaction of business, and that a like committee be appointed to so notify the House.

The motion prevailed.

Accordingly, the President appointed the following committees:

To notify the Governor—Senators Aikin, Chadick, Harris, Tynan and Proffer.

To notify the House—Senators Stewart, Bullock, Parrish, Winfield and Vick.

Oath Administered to Officers of Senate

At the request of the President, the newly elected officers of the Senate named in the caucus report appeared at the bar of the Senate and took the constitutional oath of office.

Senate Resolution 5 (Delegate to Represent Senate in Council of State Governments)

Senator Jones offered the following resolution:

Whereas, the General Assembly of the Council of State Governments will meet in Chicago, Illinois, on January 16, 1947; and

Whereas, This assembly was organized in 1933 with President Roosevelt's assistance, the delegates thereto from some forty-one States, representing the Governor of the State and one representative from the Senate and one from the House of Representatives; and

Whereas, This assembly deals with matters involving the attitude of the Federal government on taxation and other kindred matters, and with the matter of cooperation among states and groups of states on various questions of interest to the several states; and

Whereas, There is a great tendency for the National government to take over certain functions of the State government; and

Whereas, There is an urgent need for better cooperation among the states if the powers and duties are to be retained by them; and the work of this general assembly is looking toward this retention of such rights and duties; and it is important that the Senate of Texas be represented in this general assembly; now therefore be it

Resolved by the Senate of Texas, That the Lieutenant Governor appoint delegates to represent the Senate of Texas at said meeting and that the expenses incurred by said Senators be paid from the contingent fund.

The resolution was read and was adopted.

In accordance with the provisions of the above resolution, the President announced the appointment of Senators Stanford and Harris as delegates to represent the Senate of Texas.

House Notified

The committee to notify the House that the Senate is organized and ready to transact business, appeared at the bar of the Senate, and Senator Stewart, for the committee, notified the President and the Senate that the committee had performed the duty assigned it.

Governor Notified

The committee to notify the Governor that the Senate is organized and ready to transact business appeared at the bar of the Senate, and Senator Aikin, for the committee, notified the President and the Senate that the committee had performed the duty assigned it.

Senate Bills on First Reading

The following bills were introduced, read severally first time, and referred to the committees indicated:

By Senators Kelley of Hidalgo, Parrish, Winfield, Tynan, Harris, Hazlewood, Hardeman, Bullock, Stewart, Kelly of Tarrant, Brown, Crawford:

S. B. No. 1, A Bill to be entitled "An Act to apportion the State into Senatorial Districts; naming the counties composing each district; designating the counties to which election returns shall be sent in each district; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

To Committee on Senatorial Districts.

By Senators Stanford and Parrish:

S. B. No. 2, A Bill to be entitled "An Act making appropriation for an increase in, and supplementing, the amounts of money set out and appropriated for the various State Departments for traveling expenses provided for in Senate Bill No. 317, Acts of the Regular Session of the Forty-ninth Legislature, beginning with the effective date of this Act and ending on August 31, 1947; and amending Section 2 of Senate Bill No. 317, Acts of the Regular Session of the Forty-ninth Legislature, so as to limit the traveling expenses of all State employees for meals and lodging at Six Dollars (\$6.00) per day beginning with the effective date of this Act and ending August 31, 1947; and declaring emergency."

To Committee on Finance.

By Senators Stanford and Parrish:

S. B. No. 3, A Bill to be entitled "An Act making appropriation for an increase in, and supplementing, the amounts of money set out and appropriated for the Judiciary of the State of Texas for traveling expenses provided for in House Bill No. 215, Acts of the Regular Session of the Forty-ninth Legislature, beginning with the effective date of this Act and ending on August 31, 1947; so as to limit the traveling expenses of all State employees for meals and lodging at Six Dollars (\$6.00) per day beginning with the effective date of this Act and ending August 31, 1947; and declaring an emergency."

To Committee on Finance.

By Senators Stanford and Parrish:

S. B. No. 4, A Bill to be entitled "An Act making appropriation for an increase in, and supplementing, the amounts of money set out and appropriated for the various Eleemosynary and Reformatory Institutions for traveling expenses provided for in House Bill No. 206, Acts of the Regular Session of the Forty-ninth Legislature, beginning with the effective date of this Act and ending on August 31, 1947; so as to limit the traveling expenses of all State employees for meals and lodging at Six Dollars (\$6.00) per day beginning with the effective date of this Act and ending August 31, 1947; and declaring an emergency."

To Committee on Finance.

By Senators Stanford and Parrish:

S. B. No. 5, A Bill to be entitled "An Act making appropriation for an increase in, and supplementing, the amounts of money set out and appropriated for the various Educational Institutions for traveling expenses provided for in House Bill No. 173, Acts of the Regular Session of the Forty-ninth Legislature, beginning with the effective date of this Act and ending on August 31, 1947; and amending subsection (6) of the General Provisions of House Bill No. 173, Acts of the Regular Session of the Forty-ninth Legislature, so as to limit the traveling expenses of all State employees for meals and lodging at Six Dollars (\$6.00) per day beginning with the effective date of this Act and ending August 31, 1947; and declaring an emergency."

To Committee on Finance.

By Senators Stanford and Parrish:

S. B. No. 6, A Bill to be entitled "An Act making appropriation for an increase in salaries of State officials and State employees for the period beginning with the effective date of this Act and ending on August 31, 1947, supplementing the salaries designated and/or provided for in House Bill No. 215, Acts of the Regular Session of the Forty-ninth Legislature, and declaring an emergency."

To Committee on Finance.

By Senators Stanford and Parrish:

S. B. No. 7, A Bill to be entitled "An Act making appropriation for an

increase in salaries of State officials and State employees for the period beginning with the effective date of this Act and ending on August 31, 1947, supplementing the salaries designated and/or provided for in House Bill No. 173, Acts of the Regular Session of the Forty-ninth Legislature, and declaring an emergency."

To Committee on Finance.

By Senators Stanford and Parrish:

S. B. No. 8, A Bill to be entitled "An Act making appropriation for an increase in salaries of State officials and State employees for the period beginning with the effective date of this Act and ending on August 31, 1947, supplementing the salaries designated and/or provided for in House Bill No. 206, Acts of the Regular Session of the Forty-ninth Legislature, and declaring an emergency."

To Committee on Finance.

By Senators Stanford and Parrish:

S. B. No. 9, A Bill to be entitled "An Act making appropriation for an increase in salaries of State officials and State employees for the period beginning with the effective date of this Act and ending on August 31, 1947, supplementing the salaries designated and/or provided for in Senate Bill No. 317, Acts of the Regular Session of the Forty-ninth Legislature, and declaring an emergency."

To Committee on Finance.

By Senators Morris, Brown, Chadick, Hazlewood, Bullock, Strauss, Cousins, Stewart, Phillips:

S. B. No. 10, A Bill to be entitled "An Act to protect the right to enter into sales contracts relating to commodities bearing the trade-mark, brand or name of its producer or owner to protect producers or owners, distributors, dealers and the general public against injurious practices in the sale and resale of commodities of standard quality under distinguished trade-marks, brands and names; and to facilitate fair practices in the sale of commodities which are in fair and open competition with commodities of the same general class; defining and making unfair competition actionable at the suit of a person damaged thereby, and declaring an emergency."

To Committee on Commerce and Manufacturing.

By Senator York:

S. B. No. 11, A Bill to be entitled "An Act providing for and fixing the salaries of the Justices of the Supreme Court, the Judges of the Court of Criminal Appeals, the Judges of the Commission in Aid of the Court of Criminal Appeals, the Justices of the Courts of Civil Appeals, and the Judges of the District Courts and of the Criminal District Courts of the State of Texas; repealing Section 1 of H. B. No. 10, Chapter 10, Page 11, Acts of Forty-fifth Legislature, and Section 1 of S. B. No. 137, Chapter 232, Page 458, Acts of Forty-fifth Legislature, and all laws and parts of laws in conflict with this Act: and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Chadick:

S. B. No. 12, A Bill to be entitled "An Act declaring public policy and creating a State Board of School Safety Supervision; prescribing the authority, powers, and duty thereof; providing for personnel; providing that no public monies shall be expended except upon certain conditions; repealing Articles 2920, 2921, 2922 of Title 49, Chapter 19 of the Revised Civil Statutes of 1925 and all laws in conflict herewith; containing a saving clause; and declaring an emergency."

To Committee on Education.

By Senators Chadick and Carney:

S. B. No. 13, A Bill to be entitled "An Act to amend subsection 8 of Section 30 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature, and known as Chapter 61, Page 100, of the General Laws, passed by the Second Called Session of the 41st Legislature, as thereafter amended, and declaring an emergency."

To Committee on Insurance.

By Senators Chadick and Carney:

S. B. No. 14, A Bill to be entitled "An Act to amend subsection 8 of Section 30 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature, and known as Chapter 61, Page 100, of the General Laws, passed by the Second Called Session of the 41st Legislature, as thereafter amended and declaring an emergency."

To Committee on Insurance.

By Senators Chadick and Carney:

S. B. No. 15, A Bill to be entitled "An Act to amend Section 54 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature and known as Chapter 61, Page 100, of the General Laws passed by the Second Called Session of the 41st Legislature and declaring an emergency."

To Committee on Insurance.

By Senators Chadick and Carney:

S. B. 16, A Bill to be entitled "An Act to add a subsection to Section 38 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature, known as Chapter 61, Page 100, of the General Laws passed by the Second Called Session of the 41st Legislature, as thereafter amended, which said new subsection shall be known as Sec. 38-a, authorizing building and loan associations, having assets in excess of One Million (\$1,000,000.00) Dollars, to invest, not exceeding the amount of its reserves in real estate and to construct improvements thereon, and to sell the same when such investment is approved by the Banking Commissioner of Texas, and by the Federal Savings and Loan Insurance Corporation, and declaring an emergency."

To Committee on Insurance.

By Senator Winfield:

S. B. No. 17, A Bill to be entitled "An Act making an appropriation for the Pecos River Compact Commissioner for the State of Texas; providing that the Pecos River Compact Commissioner shall receive not to exceed Ten Dollars (\$10) per day for each day spent in the performance of his duties, plus actual and other necessary expenses; prescribing the method whereby funds therein appropriated shall be paid out of the State Treasury; providing that court costs and expenses incident to any suit or suits that may be filed by the Attorney General of Texas for the protection of the interest of the State of Texas in and to the waters of the Pecos River shall be paid out of the funds therein appropriated, and declaring an emergency."

To Committee on Finance.

By Senator Vick:

S. B. No. 18, A Bill to be entitled "An Act creating a Firemen's and Policemen's Civil Service in cities

having a population of ten thousand inhabitants or more; defining certain terms used in said act; providing for a Firemen's and Policemen's civil service commission and providing the method whereby the same shall be appointed and the qualifications of the Commissioners; providing for the organization of said commission; providing for the powers of said commission; providing that said commission shall make rules and regulations pertaining to firemen and policemen and that said rules and regulations shall prescribe the causes for removal or suspension of employees of the Fire and Police Departments; providing for the position of Director of Civil Service; providing for the office space for said commission; providing for the removal of the Director of Civil Service; providing for the Civil Service classification of firemen and policemen; providing for the examination for eligibility lists; providing the method of filling positions of the Fire Department and Police Department; providing for the certification of employees; providing for probationary and full-fledged firemen and policemen; providing for notice of examinations; providing for promotions in the Fire Department and Police Department; providing for the Civil Service rights of department heads; providing for suspension and reinstatement of firemen and policemen, and the method of procedure in connection therewith; providing certain additional rules of procedure before the commission; providing for an appeal to the District Court; providing for procedure in demotions; providing for disciplinary suspensions; providing for reductions of force and reinstatement list; prohibiting certain political activities of firemen and policemen; providing for requiring publishing of rules, regulations and lists; providing for status of present employees; providing certain penalties; providing sick and injury leaves; providing that they shall not be permitted to strike or take any part in any sympathetic strike and providing penalties therefor; providing for a repeal and savings clause; and declaring an emergency."

To Committee on State Affairs.

By Senator Harris:

S. B. No. 19, A bill to be entitled "An Act to amend Subsection 25 of

Article 1995, Revised Civil Statutes; and declaring an emergency".

To Committee on Civil Jurisprudence.

By Senator Kelley of Hidalgo:

S. B. No. 20, A bill to be entitled "An Act amending House Bill No. 57, Chapter 442, Acts of the 44th Legislature, Second Called Session, 1935, fixing the compensation of District Attorneys in all Judicial Districts in this State; providing such compensation shall include the Five Hundred (\$500.00) Dollars per year now allowed by the Constitution; providing that District Attorneys shall not be deprived of their expense allowance; providing for the re-appropriation of all moneys heretofore appropriated to pay fees, salaries and per diem accounts of the officers named herein; providing for the disposition of fees, commissions and perquisites earned and collected by said District Attorneys; providing that nothing in this Act shall affect the law now in existence with reference to Assistant District Attorneys, Investigators and Stenographers; providing that nothing in this Act shall affect Criminal District Attorneys whose District is composed of only one (1) county, and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Morris, Aikin, Bullock, Proffer, Phillips, Parrish, Knight, Hazlewood, Carney, Lane, Brown, and Chadick:

S. B. No. 21, A bill to be entitled "An Act amending Section 2 of Article 3, Senate Bill 167, Acts of the Regular Session, 49th Legislature, relating to state aid to public schools, providing for a supplement to the salary of teachers in equalization aid schools for the last four months of the school year 1946-1947; repealing all laws in conflict therewith and declaring an emergency."

To Committee on Finance.

By Senator Stewart:

S. B. No. 22, A bill to be entitled "An Act empowering the courts of record of the State of Texas having original jurisdiction of criminal actions to suspend the imposition or execution of sentence and to place defendants on probation under certain conditions; specifying conditions of probation which, among others,

may be imposed; providing for investigation by probation officers; prescribing the period of probation and any extensions thereof; providing for the discharge of defendants who have observed the conditions of probation imposed by the courts and the legal effect of such discharge; providing for the arrest of defendants during the period of suspension of imposition or execution of sentence and during the period of probation with or without a warrant and for the continuance or revocation of probation without jury trial in the event the conditions of probation have been violated; providing for the hearing on revocation of probation in courts other than the one having original jurisdiction; providing that time served on probation shall not be part of the time the defendant shall be sentenced to serve; providing for the transfer of probationers under certain conditions; providing for the appointment of a Board of Adult Probation, the method thereof, and making provisions for their reimbursement and necessary expenses, and prescribing their duties and powers; authorizing the Board of Adult Probation to make arrangements with the State Board of Pardons and Paroles for the supervision of parolees and persons placed on conditional pardon, reprieve, or furlough; providing for the appointment of a Director of Adult Probation, and the method thereof and making provision for his salary and necessary expenses and prescribing his duties and powers; providing for the appointment of probation officers and other employees and the method thereof; and making provision for their compensation and for their necessary expenses; providing for the assignment of probation officers to such courts and the method thereof; providing for the transfer or removal of probation officers under certain conditions; directing commissioners' courts to provide office space for said probation officers; prescribing the duties of probation officers and the powers of such officers; designating 'chief' and 'assistant' probation officers; providing for probation officers for powers to make arrest and other duties required of law enforcement officers; providing that information obtained by said officers shall be privileged; providing that probation is a final disposition for the purpose of determining fees; providing for the repeal of all laws or parts of laws in conflict and further that

nothing in this act shall repeal Article 776 through 781 of Vernon's Revised Statutes, Code of Criminal Procedure; providing that if any part of this act is declared unconstitutional it shall not affect the validity of the remainder of the act; providing that this act shall be cited as the Adult Probation Law and defining certain terms; providing for an appropriation to carry out the purposes of this act and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senators Mauritz and Aikin:

S. B. No. 23, A bill to be entitled "An Act validating the consolidation of certain common and independent school districts where a majority of the qualified voters of each of the affected districts approved such consolidation at an election held for such purpose; validating the bonds of such consolidated districts and the proceedings had authorizing same after such attempted consolidation; providing such validation shall not apply to districts now in litigation; repealing all laws in conflict herewith; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Stanford:

S. B. No. 24, A bill to be entitled "An Act requiring mutual assessment life, health and accident insurance companies organized and operating under Chapter Six, Title 78, Revised Civil Statutes of Texas, and Section 18a of Senate Bill No. 37, Acts of the First Called Session of the Forty-first Legislature, to, within six months from the effective date of this act, effect a compliance with, conform to and be governed by the provisions of House Bill No. 303, Acts of the Forty-third Legislature as amended by Senate Bill No. 135, Acts of the Forty-sixth Legislature, in such manner and form as may be prescribed by the Life Insurance Department of Texas; providing that from and after their qualification, they may transact the business of life, health and accident insurance in accordance with their charters and said act; providing that said charters may be amended or extended by compliance with the same requirements provided in the general corporation laws of Texas; repealing Chapter 6, Title 78, Revised Civil

Statutes of Texas, Section 18a of Senate Bill No. 37, Acts of the First Called Session of the Forty-first Legislature, and that portion of Section 18 of the same act as applies to these companies, and declaring an emergency."

To Committee on Insurance.

By Senators Strauss and Weinert:

S. B. No. 25, A bill to be entitled "An Act amending Subdivision 25 of Article 199, Title 8, Revised Civil Statutes of Texas; and fixing the length of terms and times of holding Court in the 25th Judicial District of Texas, providing that as many sessions may be held during any term as is deemed proper by the Judge; validating and continuing all processes, writs, bonds and recognizances and making them returnable to the terms of Court in the several Counties in said District as herein fixed, validating the summoning of grand and petit jurors under the present law so as to render available under this Act; enacting proper provisions relative to any term of Court that may be in session when this Act takes effect, and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Strauss and Tynan:

S. B. No. 26, A bill to be entitled "An Act amending Section 1, Chapter 42, page 96, Acts of the First Called Session of the Forty-first Legislature; providing for the transportation of pupils to and from schools; authorizing the trustees of any school district, common or independent, to employ or contract with responsible persons or firms to provide such transportation; permitting the trustees in their discretion to cover and include in such employment or contract the transportation of pupils in parochial, denominational, or private schools, provided the district be compensated by same; prescribing the qualifications of persons employed to transport pupils; defining certain features of the vehicles to be used for transporting pupils; requiring a bond from the drivers of all school transportation vehicles and prescribing the conditions of such bond; requiring such drivers to bring their vehicles to a dead stop before crossing any railroad or interurban railway tracks and providing a penalty for failure to stop; providing for forfeiture of the

bond in case of accident of pupils or vehicles and for the determination of questions affecting such bond by a court of competent jurisdiction; and declaring an emergency."

To Committee on Education.

Senate Resolution 6

(Extending Privileges of Floor)

Senator Jones offered the following resolution:

Be it Resolved by the Senate of the State of Texas, That all former members of the Senate be allowed the privilege of the Senate floor for the 14th day of January, 1947.

The resolution was read and was adopted.

Senate Concurrent Resolution 1

Senator Jones offered the following resolution:

S. C. R. No. 1, Relating to Inauguration of Governor and Lieutenant Governor.

Be it Resolved by the Senate of the State of Texas, the House of Representatives concurring, That a joint committee composed of five Members of the Senate and five Members of the House shall be appointed by the Lieutenant Governor and Speaker, respectively, to arrange for the canvass of the votes cast for Governor and Lieutenant Governor at the general election held on the first Tuesday in November, 1946, and that a joint session of the Senate and House be held in the Hall of the House of Representatives on Monday, January 20, 1947, for the purpose of counting said votes and receiving the report, and hearing the declaration of the results of the canvass.

Be it Further Resolved, That a joint committee composed of five Members of the Senate and five Members of the House also be appointed by the presiding officers of the respective houses to arrange for the inauguration of the Governor-elect and Lieutenant Governor-elect as determined by the canvass of the votes.

The resolution was read and was adopted unanimously.

In accordance with the provisions of the above resolution the President announced the appointment of the following committees on the part of the Senate:

To count the votes for Governor and Lieutenant Governor: Senators Stanford, Jones, Stewart, Tynan and Winfield.

To arrange for the inauguration of the Governor and Lieutenant Governor: Senators Stanford, Aikin, Jones, Crawford and Cousins.

Adjournment

On motion of Senator Chadick, the Senate, at 1:20 o'clock p. m., adjourned until 11:00 o'clock a. m. tomorrow.

SECOND DAY

(Wednesday, January 15, 1947)

The Senate met at 11 o'clock a. m., pursuant to adjournment, and was called to order by the President.

Oath Administered to Secretary-elect of the Senate

The President requested the Secretary-elect of the Senate to approach the President's desk and take the oath of office.

Secretary-elect Claude Isbell then came to the President's desk and took the official oath, which was administered by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stewart
Hardeman	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York
Lane	

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

Leave of Absence Granted

Senator Mauritz was granted leave of absence for today and indefinitely on account of illness on motion of Senator Aikin.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
January 15, 1947.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

H. C. R. No. 1, Providing for the adoption of the joint rules of the House and Senate.

H. C. R. No. 2, Providing for a joint session to hear the message of Governor Coke R. Stevenson.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

House Concurrent Resolution 1

The President laid before the Senate for consideration at this time:

H. C. R. No. 1, Providing for the adoption of the Joint Rules of the House and Senate.

On motion of Senator Aikin, and by unanimous consent, the resolution was considered immediately.

The resolution was adopted by the following vote:

Yeas—26

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stewart
Hardeman	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

Absent

Harris	Stanford
Hazlewood	Vick

Absent—Excused

Mauritz

Senate Resolution 7

Senator Parrish offered the following resolution: